

2004 Proposals to the Governor and 80th General Assembly

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*Making a difference in
the lives of Iowa women*

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2004 Priorities

As **priority areas** being proposed to the Governor and General Assembly for 2004, the ICSW supports:

- Increase in the minimum wage. (Economics)
- Parity in mental health and substance abuse care coverage. (Insurance)
- Automatic restoration of voting rights for felons upon completion of sentence and parole. (Justice)
- Restoration of funding for the Legal Services Grants Program administered by the Office of the Attorney General as a line item in the state budget. (Justice)
- Restricting all 100 placements at the Iowa Juvenile Home to females. (Justice)
- Restoration of funding for domestic violence and sexual assault programs as a line item in the state budget. (Violence Against Women)

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The Iowa Commission on the Status of Women (ICSW) has formulated a program that it deems necessary to meet important human needs and to eliminate inequities for women, which will benefit all citizens of Iowa.

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NOTE: The proposals are not in order of importance.

Legislative Proposals

Aging Issues and Long-Term Care

In 2000, Iowa ranked second in the percentage of population over 85 years of age, third in the percentage of population over 75 years of age, and fourth in the percentage of population over 65 years of age. Of those over age 65 in Iowa, 59 percent are women. As the baby boom generation gets older, the need for both paid and unpaid caregivers will increase. A 2001 ICSW study on CNA wages and benefits found that 73 percent earn under \$10 per hour with few benefits and high turnover. The typical family caregiver is a married woman in her mid-forties to mid-fifties, works full-time outside of the home, and spends an average of 18 hours per week on caregiving. To address the needs of the aging, and of paid and unpaid caregivers for dependent adults, the ICSW supports:

1. Legislation clarifying who is a mandatory reporter of dependent adult abuse; establishing financial institutions as voluntary reporters of suspected abuse, neglect or exploitation; expanding the Dependent Adult Protection Advisory Council's authority to advise any state department that is charged with the protection of dependent adults; and easing access to district court for the purpose of enjoining abusive activity or intervening for provision of support services in situations where abuse is either ongoing or likely to reoccur.
2. Legislation eliminating the term caretaker in the *Code of Iowa* Chapter 235B.2(5)(a), so that anyone who abuses, neglects or exploits a dependent adult is charged; addition of a category of emotional/psychological abuse; and enhancing penalties for violation of an individual age 60 or older and/or disabled.
3. Amendment of state tax policy in the *Code of Iowa* Chapter 422.9(2)(e) regarding tax deduction to include spouse, brother, and sister for whom in-home care is given.
4. More standardized education, continuing education, and opportunities for advancement for

direct care workers (nurse aides/home care aides) in order to ensure equitable pay.

5. In an effort to be more cost-effective in the provision of long-term care for those in need of services provided by state institutions, any legislation to close the state institution must consider the availability of alternative services for those in need of this long-term care.
6. Continued funding of the Iowa CareGivers Association through Senior Living Trust Fund dollars appropriated to the Department of Elder Affairs.
7. Funding to support expansion of the Iowa Nurse Aide Registry in conjunction with the Iowa CareGivers Association's Better Jobs Better Care grant.

Child Care

Iowa leads the nation in the percentage of families where both, or the only parent, works. The percent of mothers with children under age six in the labor force is 74.8, and 85.4 percent of mothers with children ages six to seventeen are in the labor force. Child care is an economic and social infrastructure issue that affects the bottom line for business, the standard of living for families, and the future competitiveness of the state. To insure quality affordable child care, in particular for women seeking training and/or employment, the ICSW supports:

1. A child care and/or preschool subsidy for every Iowa family below 85% of the state median income.
2. Adequate compensation, including benefits, for childcare workers.
3. A professional development system for child care/preschool workers of prerequisite and on-going training, and a process for credentialing workers.

4. Requirement that all child care/preschool settings be licensed and adhere to standards that ensure quality care and experiences.
 5. Maintaining matching funds to allow DHS to draw down from the Child Care Development Fund.
 6. Increase in funding levels for the Iowa Community Empowerment school-ready and early childhood programs for zero to five.
 7. Quality early childhood programs through:
 - a. provision of resources for the TEACH/Apprenticeship education and compensation program;
 - b. increasing the funding for monitoring and support of child care centers and Child Development Homes; and
 - c. increasing the child care provider reimbursement payments to child care programs to meet the 2002 market rate.
 8. State investments in Head Start and Early Head Start.
3. Continued funding for Iowans in Transition program grants through the ICSW at the FY01 level of \$185,000 providing pre-employment services to an additional 350 displaced homemakers, single parents or female offenders.
 4. Establishing a vehicle for 12 weeks of partial wage compensation for a person taking parental leave for the birth or adoption of a child.
 5. Development of a plan to achieve pay equity for employees in private industry furthering the goal of eliminating wage discrimination on the basis of gender.
 6. Continued financial assistance to targeted small businesses.
 7. Legislation to outlaw the unfair employment practice of discrimination based on a person's use of Family Medical Leave.
 8. The legislative resolution to study the economic, fiscal, and social impact of the establishment of a living wage in Iowa.

Economics

In 2000, 62.7 percent of women age 16 and older were in Iowa's workforce, which represented 47.4 percent of the total workforce. According to the wage study released that same year, Iowa women made 73 cents for every \$1 a man made. The study also found that 64 percent of female respondents reported annual wages of \$25,000 or less while 66 percent of males reported wages over \$25,000. To address the economic needs of Iowa women, the ICSW supports:

- 1. Increase in the minimum wage. (Priority)**
2. Development of a plan for extending a comparable worth policy to all public employees in Iowa, with state assistance to local government entities in conducting comparable worth studies and a plan for making state revenue-sharing monies at future dates contingent upon adopting comparable worth pay schedules for local government employees.

Equality

The *2003 Status of Iowa Women Report* documents the need for continuing to improve the quality of life for women in this state. To achieve equality while improving the status of women, the ICSW recommends:

1. State funding to provide staff and support for the provision of technical assistance on educational equity for school districts and to monitor implementation of Iowa's multicultural, gender-fair curriculum requirement as well as Title IX.
2. Incentives for males and minorities to enroll in programs for training elementary education teachers and secondary family and consumer science teachers, and for females and minorities to enroll in programs of training for secondary industrial technology, mathematics, and science teachers.

3. Gender balance on boards and commissions of political subdivisions of the state.
4. Amending the Iowa Civil Rights Act to prohibit discrimination on the basis of sexual orientation.

Health

Good health is essential to leading a productive and fulfilling life and to participating fully in the economic, social, and political life of the state. It requires safe and healthful physical and social environments, sufficient incomes, safe and adequate housing, proper nutrition, preventive treatment, and education on maintaining healthful behaviors. It is an irony that many health care workers do not earn enough to afford their own health care coverage. To increase the quality of health in women, the ICSW supports:

1. Focusing on health care reform until health care coverage is accessible to all Iowans.
2. Full funding and implementation of the State Children's Health Care Initiative (*hawk-I*), with consideration of available options including coverage of parents.
3. Expansion of Medicaid coverage to include parents of eligible children.
4. Continued funding for statewide chlamydia screening.
5. Access to mammography, colposcopy, and screening for diabetes for low-income women without Medicaid.
6. Continued funding for follow-up treatment when screening for breast and cervical cancer indicates abnormalities.
7. Coverage for screening tests for women who are at risk for ovarian cancer.
8. Continued funding of family planning services through Temporary Assistance for Needy Families (TANF).
9. Access to all reproductive health care options for women as currently available.
10. Continued commitment and agreement made with Iowa communities to fund comprehensive adolescent pregnancy prevention and services for pregnant and parenting teens at the current level.
11. Oppose criterion that family planning and reproductive health services grants be awarded to agencies who engage in the fewest abortions.
12. Increased reimbursement rate under Title XIX for dentists to care for children in WIC and Head Start programs.
13. Increased funding to programs for quality substance abuse treatment, including treatment tailored specifically for methamphetamine use.
14. Limiting the purchase of over-the-counter medicines containing pseudoephedrine to curtail the manufacture of methamphetamine.

Insurance

In recognition of the needs of all persons to insure against the risks related to disability, retirement and death, and in particular noting the needs of persons following divorce or disability or death of a spouse, the ICSW supports:

1. **Parity in mental health and substance abuse care coverage. (Priority)**
2. Elimination of discriminatory practices on the basis of gender or marital status in the issuance or operation of any type of insurance policy, plan, program, or coverage, including but not limited to rates, payments, or benefits; for example, exclusion of obstetrical care for unwed dependents.
3. Continuing to reform health insurance coverage for the uninsured and underinsured.

4. Expansion of relationship definition for family coverage health insurance to include members in the same household.
5. Requirement that the phone number to call and obtain more information about the external review process be printed on insurance cards and be posted in a prominent place in health care facilities, so that a person who has been denied coverage knows how to appeal.

Justice

Women in Iowa have unique needs relative to the administration of justice in all areas, including legal assistance. The female prison population in Iowa is on the rise, climbing from fewer than 100 in 1985 to 704 at midyear 2003. The ICSW supports:

1. **Restoration of funding for the Legal Services Grants Program administered by the Office of the Attorney General as a line item in the state budget. (Priority)**
2. **Automatic restoration of voting rights for felons upon completion of sentence and parole. (Priority)**
3. **Restricting all 100 placements at the Iowa Juvenile Home to females. (Priority)**
4. Strengthening and expanding community based corrections for people convicted of nonviolent and non-person crimes.
5. Elimination of mandatory sentencing and time served laws and restoring more discretion in sentencing for judges.
6. Intensive residential community-based facility for drug offenders on probation.
7. Funding for improved educational and career and technical training for women throughout Iowa's correctional system. Training for women and men should include parenting education and building family strengths, with follow-up after release by community correctional programming and referral/support agencies.
8. Establishing and funding additional restorative justice programs, showing equal concern and commitment to victims and offenders.
9. Continuation of no-fault dissolution of marriage.
10. Creating the crime of invasion of privacy and providing a penalty.

Violence Against Women

Since 1990, 117 Iowa women and 14 Iowa men have been killed by their partners. In fiscal year 2003, 19,488 victims of domestic violence were served by programs receiving state dollars. That same year, 3,754 adult, teenage, and child survivors of sexual assault sought services from Iowa's sexual assault crisis centers. In light of the number and degree of violent incidents committed against women, the ICSW supports:

1. **Restoration of funding for domestic violence and sexual assault programs as a line item in the state budget. (Priority)**
2. Amending *Code of Iowa* Chapter 724.26, so that state law is the same as the federal law that prohibits persons who have committed domestic violence or who are subject to a no-contact order from possessing firearms.
3. Continued age for mandatory reporting of suspected child sexual abuse as age 12 and under.
4. State legislation to criminalize trafficking of persons.
5. Amend *Code of Iowa* Chapter 236.8 to clarify that the Court may hear a contempt action based upon the violation of another state's protective order.
6. Amend *Code of Iowa* Chapter 236.8 so that the even "attempted" contact in violation of a protective order can be prosecuted or a contempt action brought.

Welfare

To endorse Iowa's efforts to reform the welfare system, particularly to make services available that promote economic self-sufficiency, the ICSW supports:

1. Full funding for child care, education, and training for Family Investment Program (FIP) participants through the maintenance of effort requirement for Temporary Assistance for Needy Families (TANF).
2. Increased grant level for the Family Investment Program (FIP).
3. Continued medical coverage for former welfare recipients beyond the one-year limit to cover the gap between leaving public assistance and becoming totally self-sufficient.
4. Continued funding for the Family Development and Self-Sufficiency (FaDSS) program.
5. Restoration of the Emergency Assistance Program for housing and utilities when Iowans are threatened with homelessness.
6. Restoration of \$400,000 appropriation to the Homeless Shelters Operations Grant (HSOG) through the Department of Economic Development.
7. Dedication of revenue from real estate transfer tax to fund homeless shelters, low income housing, and rehabilitation.

Proposals to Executive Branch for Administrative Action

The ICSW supports:

Aging Issues and Long-Term Care

1. Elimination of the nurse aide "challenge test" with certain exceptions.

Economics

1. Promotion of state/federal dependent care pre-tax deductions for in-home day care, in-home nursing care, child day care, adult day care, and household services in conjunction with day care.
2. Promotion of earned income tax credit and child care income tax credit.
3. Promotion of assistance with tax preparation to low-income Iowans.
4. Amending the state plan for implementing the Workforce Investment Act to include a strong initiative for training women for nontraditional, higher-paying jobs.
5. Policies that promote job sharing and flex-time in employment.
6. Partnership with the Iowa Finance Authority in an effort to educate Iowa women on the opportunities available for down payment assistance and low interest rate mortgages.
7. Promotion of a requirement that credit be given for skills developed through volunteer and homemaker work experience for purposes of qualifying for hiring and promotion in all personnel selection systems in Iowa state government, its political subdivisions, and all businesses/parties that contract with the state government.

Education

1. Continuation of affirmative strategies to promote opportunities for women and minority persons in educational administration, which in turn results in role models for students and a vehicle for change in the educational environment.
2. Increased educational support for programs that encourage females and minority students to study mathematics, science, and technology at all levels as well as to pursue careers related to mathematics, science, and computer technology.
3. Promotion of female participation in educational programs leading to nontraditional, higher-paying jobs.
4. Promotion of financial literacy courses in schools and communities.
5. Infusion of equity training and strategies for effectively working with diverse learners into the college level preparation programs for school administrators, teachers, counselors, and coaches. (To supplement, not replace the current human relations courses.)
6. Encouragement for school districts to use methods and resources already at their disposal to gain equitable treatment for young women and men and to ensure quality educational environments that ensure that all students achieve to their maximum potential.
7. Provision of English as a Second Language adult education.

Government

1. Making services through the Department of Human Services (DHS) more accessible and understandable particularly emphasizing the need for advocates for clients of DHS.

2. Continuing redesign of the delivery system for financial assistance services so that families are served more quickly and effectively, which includes one point of entry.

Health

1. Promotion of prenatal screening to include counseling to high-risk women to have confidential HIV test and treatment if necessary to prevent transmission.
2. Guaranteed eligibility, upon approval of a Medicaid waiver, for family planning services up to 24 months after a pregnancy has ended.
3. Monitoring managed care for substance abuse and mental health treatment to insure that specific needs of women, including aftercare, are met.
4. Monitoring the delivery of services through Empowerment Zones, to assure that needs of families are being met.
5. Encouraging the state to apply for a federal waiver to allow state employees access to the *hawk-i* program.
6. Education on the illegality of female genital mutilation (AKA female circumcision).
7. Appropriate response from law enforcement to harassment at reproductive health care facilities in Iowa.

Justice

1. Monitoring the implementation of the Iowa Supreme Court's Equality in the Courts Task Force's final recommendations.
2. Continued education of judicial nominating commission members regarding the need to increase the number of women and minorities in the Iowa judiciary, and encouragement of judicial

nominating commission members to give weight and consideration to relevant background and experience in the selection of candidates.

3. Improvement of the procedures for enforcement of financial settlements, including alimony and other judicial decisions.
4. Improvement of visiting policies for families at the Iowa Correctional Institution for Women, including monitoring the new visiting room.
5. Educating judges about the current law and problems created by nonpayment of support.
6. Monitoring the practice of telephone rebates at the Iowa Correctional Institution for Women.
7. Expansion of the Star Therapeutic Community Program currently in use at the Iowa Correctional Institute for Women.
8. The mediation/arbitration approach to child custody except in cases where domestic violence or child abuse are involved.
9. Making services, such as mental health services, to families involved in the juvenile court available immediately.
10. Development of a new program to house children with their young mothers who are residents of the Iowa Juvenile Home.
11. Gender-specific training for workers in the educational, social service, and the juvenile justice systems who come in contact with female offenders at state agencies involved in juvenile justice as well as any juvenile justice agency that receives state funds.

Violence Against Women

1. Monitoring the implementation of recommendations of the Supreme Court Task Force on Courts' and Communities' Response to Domestic Violence.

Study Proposals

The ICSW supports:

1. Study of issues related to the awarding of guardianships, conservatorships, and designation of other substitute decision-makers, taking into account the rights and needs of the parties involved.
2. Study by the Consumer Protection Division of the Attorney General's Office and/or other appropriate agency of check-cashing centers and currency exchanges, payday loans, rent-to-own operations, pawn shops, warranties for used cars, and same-day-pay temporary agencies, to ascertain extent of victimization of the working poor.
3. Study of materials to determine whether financial advisors are being encouraged to sell products (e.g. insurance, trusts, annuities) based on gender assumptions such as the incompetence or unwillingness of women to handle financial affairs.
4. Study of the need for substance abuse training for nurses.
5. Study a mechanism to expedite the reunification of parents with children taken away by the Department of Human Services.
6. Study of issues related to child custody, including judicial discretion, rulings of Iowa judges, consideration of primary caregiver presumption, and consideration of shared custody presumption.
7. Study to change the law to lower the number of years required between applications for commutation and the factors required for consideration of accepting the request.
8. Review of the statute of limitations in prosecution for child sexual abuse.
9. Study a mechanism for storage of rape kits.
10. Study by Iowa Department of Public Health on sickle cell anemia, diabetes, infant mortality and keloid treatment in African-Americans.
11. Study to discover the reasons why women attorneys do not apply, or reapply, for appointment to judgeships in greater numbers. What are the barriers? What can be done to encourage more to apply?
12. Study of judicial nominating commission legislation, including the possibility of alternating the male and female most senior justice as chair, and the possibility of increasing the number of applicants submitted to the Governor, balanced by gender.
13. Study of various recommendations to revise the Civil Rights Code, enhancing penalties, increasing rights of complainants, and expanding coverage.
14. Study of child support issues, including:
 - Amendment to *Code of Iowa* Chapter 633.425 classifying unpaid child support first in payment of debts of an estate;
 - Providing legal representation for persons seeking child support.
 - Institute child support assurance to aid families unconditionally until the state enforces and collects court-ordered child support.
 - Proposal to move child support enforcement and collections to the Department of Revenue.